

REMARKS

Claims 38-56 were pending in the application at the time of the Office Action.

Claims 39-43, 46, 49, 53 and 54 stand rejected under 35 U.S.C. § 102 as being anticipated by United States Patent No. 4,964,121 to Moore ("*Moore*").

Claims 38, 44, 45, 50 and 52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moore* in view of United States Patent No. 5,440,460 to Rypinski ("*Rypinski*").

Claims 55 and 56 stand allowed.

Claims 47, 48 and 51 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

For at least the reasons stated below, the Applicants respectfully traverse the above rejections and objections.

35 U.S.C. § 102 Rejections

Turning first to the rejection of claims 39-43, 46, 49, 53 and 54 under 35 U.S.C. § 102 as being anticipated by *Moore*, the Applicants respectfully traverse such rejections.

Turning first to claim 39, to expedite issuance of allowed claims in the present application, such claim has been canceled without prejudice. Thus, the rejection of such claim is now moot.

Turning next to claim 40, the Office Action at page 11 states that former claim 47 would be allowable if rewritten in independent form, including all of the limitations of the base claim (*i.e.*, former claim 40) and any intervening claims (*i.e.*, former claim 41). Claim 40 has been amended to state former claim 47 in independent form including all of the limitations of former claims 47, 41 and 40. Thus, the Applicants submit that claim 40 as currently amended is allowable, as are all claims depending therefrom, including claims 41, 46 and 47.

Turning next to claim 41, such claim as currently amended depends from claim 40, which as discussed above is allowable. Accordingly, the Applicants submit that claim 41 is allowable

for at least the reasons for which claim 40 is allowable. The Applicants also submit that claim 41 is independently allowable.

Turning next to claim 42, the Office Action at page 11 states that former claim 51 would be allowable if rewritten in independent form, including all of the limitations of the base claim (*i.e.*, former claim 42) and any intervening claims (of which there were none). Claim 42 has been amended to state former claim 51 in independent form including all of the limitations of former claims 51 and 42. Thus, the Applicants submit that claim 42 as currently amended is allowable, as are all claims depending therefrom, including claims 49-51.

Turning next to claim 43, to expedite issuance of allowed claims in the present application, such claim has been canceled without prejudice. Thus, the rejection of such claim is now moot.

Turning next to claim 46, such claim as currently amended depends from claim 40, which as discussed above is allowable. Accordingly, the Applicants submit that claim 46 is allowable for at least the reasons for which claim 40 is allowable. The Applicants also submit that claim 46 is independently allowable.

Turning next to claim 49, such claim as currently amended depends from claim 42, which as discussed above is allowable. Accordingly, the Applicants submit that claim 49 is allowable for at least the reasons for which claim 42 is allowable. The Applicants also submit that claim 49 is independently allowable.

Turning next to claims 53-54, to expedite issuance of allowed claims in the present application, such claims have been canceled without prejudice. Thus, the respective rejections of such claims are now moot.

35 U.S.C. § 103 Rejections

Claims 38, 44, 45, 50 and 52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moore* in view of *Rypinski*. The Applicants respectfully traverse such rejections.

Turning first to claims 38, 44 and 45, to expedite issuance of allowed claims in the present application, such claims have been canceled without prejudice. Thus, the respective rejections of such claims are now moot.

Turning next to claims 50 and 52, such claims as currently amended each depend from claim 42, which as discussed above is allowable. Accordingly, the Applicants submit that claims 50 and 52 are allowable for at least the reasons for which claim 42 is allowable. The Applicants also submit that each of claims 50 and 52 is independently allowable.

Objections to Various Claims

Claims 47, 48 and 51 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Turning first to claim 47, as discussed previously, claim 40 has been amended to state former claim 47 in independent form and is thus allowable. Also, currently amended claim 47 depends from such amended claim 40 and thus depends from an allowable claim. Accordingly, the Applicants submit that the objection to former claim 47 has been overcome.

Turning next to claim 48, the Office Action, at page 11, states that former claim 48 would be allowable if rewritten in independent form, including all of the limitations of the base claim (*i.e.*, former claim 40) and any intervening claims (*i.e.*, former claim 41). Claim 48 has been amended to state former claim 48 in independent form, including all of the limitations of former claims 48, 41 and 40. Thus, the Applicants submit that the objection to former claim 48 has been overcome.

Turning next to claim 51, as discussed previously, claim 42 has been amended to state former claim 51 in independent form and is thus allowable. Also, currently amended claim 51 depends from such amended claim 42 and thus depends from an allowable claim. Accordingly, the Applicants submit that the objection to former claim 51 has been overcome.

Final Matters

The Office Action includes various statements regarding the pending claims, the *Moore* and *Rypinski* references, one of skill in the art, and 35 U.S.C. §§ 102-103, which are now moot in

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view of the previous amendments and/or comments. Thus, the Applicants will not address all of such statements at the present time. The Applicants neither agree nor disagree with such statements. However, the Applicants explicitly reserve the right to challenge any of such statements in the future should the need arise (*e.g.*, if any of such statements are repeated in a future rejection of any claim).

Summary

In summary, the Applicants believe that all pending claims 40-42, 46-51 and 55-56 are in condition for allowance and courteously solicit a Notice of Allowability with respect to all such pending claims. If the Examiner feels that this response does not place the application in condition for allowance, the Applicants invite the Examiner to contact the Applicants' representative to discuss any remaining issues and/or effect any necessary amendments.

The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,

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